UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 December 2007_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-21_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-21_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/ are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _12/26/2007_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/26/2007 has been entered.

DETAILED ACTION

1.   This action is responsive to applicant's amendment dated 12/26/2007.

2.   Claims 1-21 are pending in the case.

3.   Claims 1, 10, 19 and 20 are independent claims.

Applicant's Response

4.   In Applicant's response dated 12/26/2007, applicant has amended the following:

     a) Claims 1, 4, 8, 9, 10 and 19

     Based on Applicant's amendments and remarks, the following objections and rejections previously set forth in Office Action dated 8/15/2007 are withdrawn:

     a) Objection to Drawings

     b) 35 U.S.C. 112 2nd Rejection to claims 3, 8 and 9

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 12/26/2007 is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is

considering the information disclosure statement.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

6.   **Claims 1-21 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Beaton et al. (hereinafter "Beaton"), U.S. Patent No.

6,037,937, in view of Fitzmaurice et al. (hereinafter "Fitzmaurice"), U.S.

Published Application No. 2004/0141010 A1, in further view of Andreas et

al. (hereinafter "Andreas"), U.S. Patent No. 6,901,558 B1. (All applied prior

art are already of record)

Claim 1:

Beaton teaches *"system also displays a representation of a control tool*

over the display of content information. Thereafter, the system receives a user

input selecting the control tool, and controls the display of content information

according to the user input" (see col. 2 lines 25-30). **(claim 1; i.e., providing a**

floatable control area for controlling given software functions of the

electronic device;) Examiner considers the control tool as a floatable control

area that has a given software function of an electronic device for controlling the

display of content information.

Beaton fails to expressly teach a control block for changing the location of

the floatable control area on a display of the electronic device.

However, Fitzmaurice teaches a tracking feature ("control block") for

changing the location of a pan-zoom tool ("floatable control area") on a display of

an electronic device (see abstract, par. 11). **(claim 1; i.e., wherein the floatable**

control area includes a control block for changing the location of the

floatable control area on a display of the electronic device;)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the navigation tool as taught by Beaton to include

a tracking feature ("control block") to change locations of the floatable control

area (e.g., pan-zoom tool) on a display of an electronic device as taught by

Fitzmaurice to provide the benefit of reducing the time for a user to select a

function from the floatable control area (see Fitzmaurice; par. 5).

Beaton teaches *"If a user is in a document navigation application, for*

example, program 510 interprets a quick drag to the right as a next page

function" (see col. 7 lines 61-64). **(claim 1; i.e., detecting a start of an**

application view loading function;) Examiner interprets a quick drag to load a

next page as detecting a start of an application view loading function.

Neither Beaton nor Fitzmaurice expressly teach indicating information

relating to the application view loading function.

However, Andreas teaches *"the progress bar visually representing*

progress of a primary background operation" (see col. 1 lines 64-65). **(claim 1;**

i.e., indicating information relating to the application view loading function

on the floatable control area when the application view loading function is

active;) Examiner considers the progress bar as indicating information relating to

background operations that includes loading web pages that activate their

corresponding application view loading function.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the navigation tool as taught by Beaton in view of

Fitzmaurice into a progress bar as taught by Andreas when the user navigates to

a next page to provide the benefit of indicating the status of the loading operation

of the page in a non-obtrusive way while maximizing the use of available screen

real estate (see Beaton; col. 2 lines 5-8) (see Andreas; col. 1 lines 39-49).

Neither Beaton nor Fitzmaurice expressly teach displaying the loaded

application view and ending the indication of the information relating to the

application view loading function.

However, Andreas teaches *"Task_IsAllTasksEnded() 125 determines if progress window 44 is no longer needed"* (see col. 4 lines 17-18). **(claim 1; i.e., displaying the loaded application view on the display of the electronic device and ending the indication of the information relating to the application view loading function on the floatable control area, when the application view loading function ends.)** Examiner considers the Task_IsAllTasksEnded() function to end the indication of the information relating to the application view loading function of the background operations when the progress window is determined to be no longer needed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the navigation tool as taught by Beaton in view of Fitzmaurice into a progress bar as taught by Andreas and to modify the navigation program as taught by Beaton in view of Fitzmaurice to include an ending function as taught by Andreas to provide the benefit of removing the progress bar once user navigates to the next page and the page is loaded. Thus, removing the progress bar with the function prevents the progress bar from being obtrusive to the display and indicates that the task such as loading a page is complete (see Beaton; col. 2 lines 5-8, Figure 5) (see Andreas; col. 1 lines 39-49, col. 2 lines 45-58).

Claim 2:

Neither Beaton nor Fitzmaurice expressly teach information relating to the application view loading function.

However, Andreas teaches *"status bar 28 is enhanced to include a*

progress bar 34 in the status bar 28 which includes a cancel button 36, a

progress indicator 32, a title 40 inside of the progress bar 34 and a percent 39 in

the title" (see col. 2 lines 59-63). **(claim 2; i.e., wherein the information**

relating to the application view loading function comprises information on

status, rate, progress or duration of the application view loading function.)

Examiner considers the progress bar to represent progress information of the

loading page that activates the application view loading function.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the navigation tool as taught by Beaton in view of

Fitzmaurice into a progress bar that represent progress information as taught by

Andreas when the user navigates to a next page to provide the benefit of

indicating the status of the loading operation of the page in a non-obtrusive way

while maximizing the use of available screen real estate (see Beaton; col. 2 lines

5-8) (see Andreas; col. 1 lines 39-49).

Claim 3:

Beaton's Figure 8 illustrates displaying the control tool at least partly over

the application view. **(claim 3; i.e., displaying the floatable control area at**

least partly over the application views shown on the display.)

Claim 4:

Neither Beaton nor Fitzmaurice expressly teach providing a control block for interrupting the loading function.

However, Andreas teaches *"What is required is a "something is going on in the background" indicator and preferably a cancel control for all background operations, such as attaching/detaching several attachments, replicating, loading a page, checking-for-mail"* (see col. 5 lines 36-41). Examiner considers the cancel control as the control block for interrupting the loading function when the loading function is in process. **(claim 4; i.e., providing a control block for interrupting the application view loading function in the floatable control area when the application view loading function is in process; interrupting the application view loading function on the basis of a detected control command from the control block for interrupting the application view loading function; and ending the indication of the information relating to the application view loading function on the floatable control area when the loading function is interrupted.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the navigation tool as taught by Beaton in view of Fitzmaurice into a progress bar that includes a cancel control as taught by Andreas when the user navigates to a next page to provide the benefit of stopping the loading operation of the page from the progress bar that is displayed in a non-obtrusive manner while maximizing the use of available screen real estate (see Beaton; col. 2 lines 5-8) (see Andreas; col. 1 lines 39-49).

Claim 5:

Beaton teaches *"Upon touching the right arrow of the navigation tool, for example, the right arrow is highlighted and navigation program 530 moves the display to the right (Fig. 10A)"* (see col. 5 lines 50-53). **(claim 5; i.e., changing the location of the floatable control area on the basis of detected control commands from the control block for changing the location of the floatable control area.)** Examiner considers the right arrow as a control block for changing the location of the navigation tool ("floatable control area"). The location of the navigation tool changes to the right of the display when the right arrow is pressed.

Claim 6:

Beaton teaches *"Although the four arrows are presented to guide the users, navigation program 530 supports navigational movement at any direction"* (see col. 5 lines 54-57). **(claim 6; i.e., providing control blocks for controlling given application view navigation functions in the floatable control area.)** Examiner considers the four arrows as control blocks for navigation functions.

Claim 7:

Beaton teaches *"processor 430 ignores any touch input on the navigation tool unless the navigation tool has been activated"* (see col. 5 lines 27-33). **(claim 7; i.e., hiding the control blocks for controlling given application view navigation functions when the application view is loading.)** Examiner

interprets when the navigation tool is not activated the control blocks are hidden from touch input. The touch input can then be interpreted to invoke functions related to the underlying document such as loading web pages or emails. Therefore, invoking functions related to loading web pages ("application view") is done while the control blocks for the navigation tool is deactivated or hidden.

Claim 8:

Beaton teaches *"An activated navigation tool is preferably transparent to avoid hindering the display of content information in the viewing area as shown in Fig. 8"* (see col. 5 lines 19-22). **(claim 8; i.e., displaying the floatable control area semi-transparently on the display.)** Examiner interprets the activated navigation tool to be the floatable control area.

Claim 9:

Beaton teaches *"A solid line image, for example, may be used in grey scale displays that do not support transparency"* (see col. 5 lines 24-26). **(claim 9; i.e., displaying outlines of the floatable control area on the display.)** Examiner considers the solid line image of the navigation tool to be an outline of the floatable control area.

Claims 10-18:

Claims 10-18 are system claims and are substantially encompassed in method claims 1-9 respectively; therefore the system claims are rejected under the same rationale as method claims 1-9 above.

Claim 19:

Claim 19 includes a program embodied on a computer readable medium to implement the steps that are substantially encompassed in method claim 1; therefore the claim is rejected under the same rationale as method claim 1 above.

Claim 20:

Claim 20 is an apparatus claim and is substantially encompassed in method claim 1; therefore the apparatus claim is rejected under the same rationale as method claim 1 above.

Claim 21:

Beaton teaches a touch screen display (see col. 4 lines 35-38). **(claim 21; i.e., wherein the display is a touch screen.)**

Response to Arguments

7.   Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

1/24/2008
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